

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAGINAW OFFICE SERVICES, INC., d/b/a
SOS EXPRESS,

Plaintiff,

vs.

Case No. 09-CV-13889
HON. GEORGE CARAM STEEH

BANK OF AMERICA, N.A.,
a National Bank,

Defendant.

_____ /

ORDER DISMISSING OCTOBER 6, 2009 SHOW CAUSE ORDER (# 2)

Defendant Bank of America ("BOA") was ordered on October 6, 2009 to show cause by October 20, 2009 why this matter should not be remanded for lack of federal diversity jurisdiction under 28 U.S.C. § 1332 in the absence of allegations sufficient to support a finding of complete diversity, 28 U.S.C. § 1332 ; Owen Equipment and Erection Co. v. Kroger, 437 U.S. 365, 373 (1978), that is, the principal place of business of plaintiff Saginaw Office Services, Inc., a Michigan corporation. BOA, as a national bank, is deemed to be a citizen of the state of its principal place of business, North Carolina. 28 U.S.C. § 1348. On October 9, 2009, BOA filed an "Amended Notice of Removal" alleging Saginaw Office Services, Inc.'s principal place of business is Saginaw, Michigan. BOA has thus timely demonstrated the existence of complete diversity. Accordingly,

The court's October 6, 2009 Order requiring defendant BOA to show cause is hereby DISMISSED.

SO ORDERED.

Dated: October 14, 2009

s/George Caram Steeh

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
October 14, 2009, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk